

REMARKS/ARGUMENTS

Claims 1-18, 21-30, 38-42, 47-53, and 55-59 are currently pending. Claims 1, 16, 38, and 49 have been amended, and claim 60 has been canceled. No new matter has been added. Support for amended claims 1, 16, 38, and 49 may be found in the application as originally filed at page 20, line 1 to page 21, line 21, and page 33, lines 7-16.

Claims 1-15, 21-30, and 56-60 are rejected under 35 U.S.C. § 112, first paragraph, for failing to comply with the enablement requirement.

Claims 1-5, 7, 9-10, 16-17, 26-28, 38-42, 49-53, and 55-60 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Daniels (U.S. Patent No. 6,417,840) in view of Stork et al. (U.S. Patent No. 6,275,174), hereinafter Stork '174.

Claim 6 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Daniels in view of Stork '174 as applied to claim 1, and further in view of Liu (U.S. Patent No. 6,133,907).

Claim 8, 11-15, 18, and 21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Daniels in view of Stork '174 as applied to claims 1-5 and 7-9 and 16, and further in view of Stork et al. (U.S. Patent No. 6,181,329), hereinafter Stork '329.

Claims 22-25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Daniels in view of Stork '174 as applied to claim 1 and further in view of Hu (U.S. Patent No. 5,952,997).

Claims 29-30 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Daniels in view of Stork '174 as applied to claim 1, and further in view of Buchner et al. (U.S. Patent No. 5,532,753).

Claims 38-42 are rejected under 35 U.S.C. § 102(e) as being anticipated by Daniels (U.S. Patent No. 6,417,840).

Claim 1 has been amended to overcome rejection over 35 U.S.C. § 112, first paragraph.

As amended claim 1 is not rendered obvious by Daniels in view of Stork '174. Specifically, as amended claim 1 recites a "a first housing portion including the electronic

control device, a first power source, and a first electrical contract for the first power source; and a second housing portion including the coherent light source, a second power source, and a second electrical contract for the second power source, wherein the first housing portion and the second housing portion are separable and combinable, if the first housing portion and the second housing portion are combined, the first and second electrical contacts are configured to contract and the first power source and the second power are configured to provide a single power source configured to shared by the electronic control device and the coherent light source," (emphasis added).

Nowhere do Daniels or Stork '174 show or suggest, either alone or in combination, a combinable device, or a combinable device that on combination is configured to contact electrical contacts for two power sources to provide a single power source to share power for an electronic control device and a coherent light source. The switches SW1 and SW2 of Daniels shown in FIG. 11 permit battery B1 to be coupled to the mouse IR signal generator and the laser generator (SW1 on pole 81 and SW2 on pole 85). The switches SW1 and SW2 also permit battery B2 to be coupled to the mouse IR signal generator and the laser generator (SW1 on pole 83 and SW2 on pole 87). The switches also permit battery B1 to be coupled to the mouse IR signal generator, and battery B2 to be coupled to the laser generator (SW1 on pole 81 and SW2 on pole 87). The switches also permit battery B2 to be coupled to the coupled to the mouse IR signal generator, and battery B1 to be coupled to the laser generator (SW1 on pole 83 and SW2 on pole 85). As there are only four combination of switch position, the switches are not configurable to permit batteries B1 and B2 to be coupled to provide a single power source that may be coupled to both the mouse IR signal generator and the laser generator. Stork '174 fails entirely to make up for the deficiencies of Daniels, as Stork '174 fails to even mention a device having two power sources. Therefore, Daniels and Stork fail to show or suggest every limitation of claim 1 as amended. Therefore, Daniels and Stork fail to render amended claim 1 obvious.

The Rejection indicates that providing separable devices is obvious absent a showing of critically and/or unexpected results as judicially recognized in *Newman v. Erlichman*, 168, USPQ179. However, this argument does not address the limitations of claim 1

which finds advantage not only in the separation of devices, but also in the combination of devices, and more specifically in the combination of device portions to contact electrical contracts to in turn couple disparate power sources to provide a single power source.

Claim 16, 38, and 49 have been amended to recite limitations similar to the limitations of amended claim 1 distinguished from Daniels and Stork '174 above. Therefore, for at least the same reasons that Daniels and Stork '174 fail to render claim 1 obvious, Daniels and Stork '174 similarly fail to render amended claims 16, 38, and 49 obvious. More over, for at least the same reasons that Daniels fail to render amended claim 38 obvious, Daniels similarly fails to anticipate amended claim 38.

CONCLUSION

In view of the foregoing, Applicant believes all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,



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